

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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VAUGHN SCOTT, NIGERIA SCOTT, PRINCE SCOTT,  
ANDREE HARRIS, BRENDA SCOTT, KRAIG UTLEY,  
COREY MARROW, AS A MINOR CHILD, K.M., A  
MINOR CHILD, and JULIAN RENE,

Plaintiffs,

-against-

THE CITY OF MOUNT VERNON, et al.,

Defendants.

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DEPOSITION OF ALLISON ALLEN

Mount Vernon, New York

November 19, 2015

2:00 p.m.

Reported By:  
Cheryll Kerr, RPR, SHR  
Job No. 41838-B

Allison Allen

November 19, 2015

2:00 p.m.

Deposition of ALLISON ALLEN, held at City  
Hall, One Roosevelt Square, Mount Vernon, New  
York, pursuant to Notice, before Cheryll Kerr,  
RPR, SHR and Notary Public, in and for the State  
of New York.

1 BY MR. THOMPSON:

2 Q Okay, so in December or January?

3 A Yeah, after we graduated.

4 Q Okay.

5 A I don't know what date it was.

6 Q On March 20th, 2013, did there come a  
7 point in time when you went to 328 South Second  
8 Avenue?

9 A Yes.

10 Q When was that?

11 A What time?

12 Q Yes.

13 A Probably after 6:00.

14 Q Okay.

15 (Pause)

16 BY MR. THOMPSON:

17 Q Okay, and what was your reason for going  
18 to that location?

19 A A unit called for assistance.

20 Q Which unit called for assistance?

21 A If I am not mistaken, it was task force.

22 (Pause)

23 BY MR. THOMPSON:

24 Q When you say "task force," is that the  
25 full name of the group, or --

1 A Yes.

2 Q Is that part of patrol, the detective  
3 bureau, or something else?

4 A It is run under the patrol division,  
5 street crime.

6 Q Was there a particular officer that made  
7 the call for assistance?

8 A I don't know.

9 Q Okay.

10 Other than calling for assistance, did the  
11 communication include any other information?

12 A Say that again?

13 Q Sure.

14 Other than calling for assistance, did the  
15 communication you received from task force  
16 communicate any other information?

17 A I don't recall.

18 (Pause)

19 BY MR. THOMPSON:

20 Q Did that call come over the radio, or  
21 something else?

22 A Over the radio.

23 Q When you arrived at 328 South Second  
24 Avenue, what did you observe there?

25 A A lot of my coworkers both outside and

1           inside of the house.

2           Q       Okay.

3           Did you know what was happening at that  
4           location?

5           A       If I'm not mistaken, there was a  
6           shooting. I don't -- I don't remember where, but  
7           there was a shooting.

8           The vehicle that was seen leaving the scene was  
9           a white minivan with a busted-out window, and that  
10          minivan was parked in that driveway of 328.

11          Q       Okay. Did you see that van yourself?

12          A       Yes.

13          Q       Did you review any documents in  
14          preparation for your testimony here today?

15          A       I looked at my memo book. That's it.

16          Q       Other than your memo book, did you review  
17          anything else?

18          A       Just my memo book.

19                   MR. THOMPSON: Okay.

20                   I don't think we have her memo book  
21                   in the production.

22          BY MR. THOMPSON:

23          Q       Do you have it with you, by any chance?

24          A       No.

25                   MR. WISHAM: I will provide that for

1           Q     When you entered the apartment, what, if  
2 anything, did you observe?

3           A     Well, when I was outside, there was a lot  
4 of officers out there. When I was walking up the  
5 stairs, there was a lot of officers.

6           When I got upstairs to the apartment, there was  
7 a lot of officers, and there was some people sitting  
8 on the couch.

9           Q     Okay.

10          Were the officers inside the apartment doing  
11 anything?

12          A     They were standing there.

13          Q     Other than standing, were they doing  
14 anything else?

15          A     Not that I can recall.

16          Q     What about the civilians in the  
17 apartment? Were they doing anything?

18          A     They were sitting in the living room, on  
19 the couch.

20          Q     Okay.

21          Was there any conversation taking place among  
22 the officers and/or civilians present?

23                   (Pause)

24                   THE WITNESS: Prince Scott and Corey  
25 Marrow was cursing at us.

1 BY MR. THOMPSON:

2 Q Okay.

3 Other than cursing at you, was there any other  
4 conversation taking place?

5 A Yes.

6 Q Between whom?

7 A Well, Prince Scott was cursing at us.

8 He looked at me and said, "Not you, because I  
9 know that you're just doing your job. You're cool.  
10 We went to school together."

11 Q Okay. Did you go to school with Prince?

12 A I did.

13 Q Did you have any further conversation  
14 with Prince while you were there?

15 A No.

16 Q Did he have any further conversation with  
17 anyone else while you were there?

18 A Beside him cursing at us? No, not that I  
19 can recall.

20 Q Okay. How long were you in the  
21 apartment?

22 A Maybe 10 minutes.

23 Q Did Corey Marrow have any other  
24 conversation with anyone while you were there?

25 A He was cursing at us.

1 Q Okay. While you were in the apartment,  
2 what, if anything, did you do?

3 A I stood in front of the TV that was on  
4 the wall.

5 The TV would have been right here (indicating),  
6 and I just stood there in front of the TV while  
7 everybody was sitting on that side.

8 Q Was the TV on or off?

9 (Pause)

10 THE WITNESS: I want to say it was  
11 on, and at some point it was turned off,  
12 but I'm not too sure.

13 BY MR. THOMPSON:

14 Q What was your reason for standing in  
15 front of the TV?

16 A That's just what was available. It was  
17 just -- there was nowhere else to stand.

18 Q Okay.

19 What, if anything, did Officer Fox and Officer  
20 O'Grady do while you were there?

21 A Only thing I can recall them doing is  
22 standing by me.

23 I think Fox was standing on my right side of me  
24 (indicating). I'm not really sure where O'Grady was  
25 standing.



1 Q To the best of your knowledge, they  
2 didn't do anything other than stand?

3 A No. All we did was stand.

4 Q Okay.

5 What about the other officers that were there?  
6 Were they also standing, or something else?

7 A From what I can recall, they were  
8 standing. They were standing like in the doorway of  
9 where the step were leading up to the living room.

10 Some were standing on this side as well  
11 (indicating), and some standing in the kitchen.

12 Q Do you know what the purpose was of the  
13 police standing inside the apartment?

14 A No. I don't know what they were doing,  
15 what they had in the works. I was just there for  
16 backup.

17 Q Okay.

18 (Pause)

19 BY MR. THOMPSON:

20 Q So you don't know whether they were  
21 conducting an investigation, or something else?

22 A I want to say they were doing an  
23 investigation, because the car that was speeding off  
24 from the shooting scene was in their driveway, but  
25 as far as the investigation goes, I don't know

1 exactly the details of what they were doing.

2 Q Okay. All right.

3 While you were in the apartment, did you  
4 observe any physical contact between any police  
5 and/or any civilian?

6 A No.

7 Q Did you --

8 You mentioned before that Prince was cursing at  
9 the police. Do you remember anything in particular  
10 that he said?

11 A No. I can't remember anything  
12 particularly.

13 It was a lot. I usually ignore people who  
14 curse at me for being a cop.

15 Q With respect to Corey Marrow, I believe  
16 you said that he was also cursing. Do you remember  
17 anything specific that he said?

18 A No. I blocked those. I block curses  
19 out.

20 Q Okay.

21 (Pause)

22 BY MR. THOMPSON:

23 Q Okay. Do you know if any of the officers  
24 present had a search warrant?

25 A I don't know.

1 A No.

2 Q Did reviewing the document refresh your  
3 recollection as to any events that occurred on  
4 March 20th, 2013?

5 A Yes.

6 Q What did it refresh your recollection  
7 concerning?

8 A I remember James Haugh being there, and I  
9 remember Julian Rene pulling down his pants --

10 Q Okay.

11 A -- saying he got shot in the butt.

12 Q And James --

13 Did you have any interaction with James Howard  
14 (sic) while you were in the apartment?

15 A Howard?

16 Q Oh, sorry. Haugh?

17 A No.

18 Q Do you recall him saying anything?

19 (Pause)

20 THE WITNESS: No, I don't recall him  
21 saying anything.

22 BY MR. THOMPSON:

23 Q Do you recall him doing anything?

24 A He was just sitting there, smiling.

25 Q You mentioned that Julian Rene pulled his

1 pants down to show where he was shot in the butt?

2 A Right.

3 Q What kind of pants was he wearing?

4 A I don't recall.

5 Q Where on his buttock did he get shot?

6 (Pause)

7 THE WITNESS: Maybe the side of his  
8 butt, but I don't remember which butt  
9 cheek it was.

10 BY MR. THOMPSON:

11 Q All right. How far down was it from the  
12 belt line?

13 A That he pulled his pants down?

14 Q Well, the question was:

15 Where was the location of the wound? How far  
16 below the belt line was it?

17 (Pause)

18 THE WITNESS: If I am not mistaken --  
19 It was towards the bottom of his butt  
20 cheek, if I am not mistaken.

21 BY MR. THOMPSON:

22 Q Okay. How far down did he pull his  
23 pants?

24 (Pause)

25 THE WITNESS: Far enough for you to

1 see the -- the wounds.

2 BY MR. THOMPSON:

3 Q How long did he have his pants pulled  
4 down?

5 A Maybe a few seconds.

6 (Pause)

7 BY MR. THOMPSON:

8 Q Do you know why he pulled down his pants?

9 A I believe to show and prove that he was  
10 the one who got shot.

11 Q Who was he showing?

12 A I don't know.

13 Q Was it --

14 A The officer. I don't recall which one.

15 Q Was it the officer that asked him to do  
16 that, or something else?

17 A No. He did that on his own.

18 Q When he did that, were his genitals  
19 visible to anyone?

20 A I don't know. I wasn't looking. I was  
21 not looking at that.

22 Q Where were you?

23 (Pause)

24 THE WITNESS: Not directly at him.

25 BY MR. THOMPSON: